

ture, filed in the district court libels praying seizure and condemnation of 641 bottles of Sirop D'Anis Gauvin Compound at Providence, R. I., alleging that the article had been shipped in interstate commerce, in part on or about October 14, 1933, and in part on or about December 1, 1933, by J. A. E. Gauvin, from Lowell, Mass., and charging adulteration and misbranding with respect to one lot, and misbranding with respect to the remainder, in violation of the Food and Drugs Act as amended.

Analyses of samples of the article by this Department showed that it consisted essentially of a morphine compound (one lot containing 0.205 to 0.219 gram of morphine acetate per fluid ounce), alcohol, and water, flavored with oil of anise.

It was alleged in the libel filed with respect to one of the lots that the article was adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, "Each Fluid Ounce Contains $\frac{1}{4}$ Grain of Acetate of Morphine."

Misbranding of the said lot was alleged for the reason that the statement, "Acetate Morphine $\frac{1}{4}$ Grain Per Ounce", appearing on the bottle and carton labels and in the circular, was false and misleading. Misbranding was alleged with respect to all lots for the reason that the statements on the labels, "Sirop D'Anis Gauvin Compound", "Sirop D'Anis Gauvin Compose", and "Gauvin's Aniseed Syrup", were false and misleading; and for the further reason that the background design of babies on the wrapper label, was false and misleading, since it created the impression that the article could be safely used for babies, whereas it could not be safely used for babies. Misbranding was alleged for the further reason that two of the lots failed to bear a statement of the quantity or proportion of morphine contained in the article, since the statement was inconspicuous; and all lots failed to bear a statement of the quantity or proportion of alcohol, since the statement of alcohol was inconspicuous. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Bottle, wrapper, and circular) "Sirop D'Anis Gauvin Compound * * * Recommended by the Maker and many who have used it as giving relief in cases of restlessness, by alleviating the accompanying pains. It thus induces a soothing effect and restfulness"; (bottle and circular) "Directions: To an infant under one month old, 10 to 15 drops; every month more, 5 to 8 drops more. One year old 1 to 2 teaspoonfuls."

On January 11 and January 26, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22348. Misbranding of Bostwick's White Pine Cough Syrup. U. S. v. 63 Bottles of Bostwick's White Pine Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32057. Sample no. 49142-A.)

This case involved a drug product labeled to convey the impression that it was derived from white pine. Analysis showed that it contained drugs derived from sources other than white pine, also that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The alcohol and chloroform present were not declared on the retail carton.

On March 1, 1934, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 63 bottles of Bostwick's White Pine Cough Syrup at Greensboro, N. C., alleging that the article had been shipped in interstate commerce on or about December 29, 1933, by Bostwick Bros., from Atlanta, Ga., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plant drugs, including an alkaloid-bearing drug and wild cherry, chloroform, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the label, "White Pine Cough Syrup", was false and misleading, since it contained drugs derived from sources other than white pine. Misbranding was alleged for the further reason that the package failed to bear on the retail carton statements of the quantity or proportion of alcohol and chloroform

contained in the article. Misbranding was alleged for the further reason that the following were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: (Bottle and carton) "For Coughs * * * Hoarseness, Sore Throat and all diseases of the Throat and Lungs"; (bottle label only) "Dose: Adults, 1 teaspoonful every 2 or 3 hrs. as required. Children $\frac{1}{4}$ to $\frac{1}{2}$ teaspoonful according to age."

On April 9, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22349. Misbranding of Crisp's (B. T.) Black Tongue Remedy, Crisp's Sta-well Condition Pills, and Crisp's Hot Shot Nerve Sedative. U. S. v. 3 Packages of Crisp's (B. T.) Black Tongue Remedy, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31583, 31584, 31585. Sample nos. 14112-A, 14113-A, 14114-A.)

Examination of the drug preparations involved in these cases showed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 21, 1933, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 3 packages of Crisp's Black Tongue Remedy, 3 packages of Crisp's Sta-Well Condition Pills, and 11 packages of Crisp's Hot Shot Nerve Sedative at San Antonio, Tex., alleging that the articles had been shipped in interstate commerce, in part on or about May 30, 1933, and in part on or about June 6, 1933, by the S. A. Crisp Canine Co., from Blacksburg, S.C., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles showed that the Black Tongue Remedy consisted essentially of magnesium hydroxide (5.1 percent), calcium carbonate (2.9 percent), charcoal (0.06 percent), and water; that the Sta-Well Condition Pills consisted essentially of powdered iron, arsenic compound, and material derived from plant drugs including nux vomica and licorice; and that the Hot Shot Nerve Sedative consisted essentially of turpentine oil, tar oil, mineral oil, magnesium hydroxide (1 percent), and small proportions of phenols, fatty acids, gums, and rosin.

It was alleged in the libel that the articles were misbranded in that certain statements appearing on the bottle and carton labels and in circulars shipped with the articles falsely and fraudulently represented that the Black Tongue Remedy was effective as a treatment, remedy, and cure for black tongue in dogs, and that the Hot Shot was effective as a treatment, remedy, and cure for running fits in dogs.

On September 29, 1933, the case having been called and the claimant, the S. A. Crisp Canine Co., having failed to appear or make any defense, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22350. Misbranding of Crisp's (B. T.) Black Tongue Remedy and Crisp's Hot Shot. U. S. v. 2 Packages of Crisp's Black Tongue Remedy and 26 Packages of Crisp's Hot Shot. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 23799. I.S. nos. 01566, 01567. S. no. 1874.)

Examination of the drug preparations involved in this case showed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On June 12, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2 packages of Crisp's Black Tongue Remedy and 26 packages of Crisp's Hot Shot at St. Louis, Mo., alleging that the articles had been shipped in interstate commerce, on or about January 9, 1929, by the S. A. Crisp Canine Co., from Blacksburg, S. C., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that the Hot Shot consisted essentially of turpentine oil, petroleum oil, wood tar compounds, small proportions of magnesium hydroxide and a gum, and water; that the capsule accompanying the package contained a small proportion of santonin dissolved in liquid petrolatum; and that the Black Tongue Remedy consisted